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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 JACKIE WESTENBERGER,

Case No. 2:17-cv-02661-JAD-PAL

8 Plaintiff,

ORDER

9 v.

10 ALBERTSONS LLC,

11 Defendant.

12 Before the court is the parties' Stipulation and Order to Extend Discovery Deadlines (First  
13 Request) (ECF No. 12). The parties agree to a 90-day continuance of the existing discovery plan  
14 and scheduling order deadlines. The court has reviewed the parties' stipulation and is not satisfied  
15 that the parties have been diligent in attempting to complete discovery within the time deemed  
16 presumptively reasonable under LR 26-1. The stipulation states that "[d]espite the parties' good  
17 faith efforts to comply with the Court's deadlines, both have been compromised in part by the  
18 amount of remaining discovery to be completed and scheduling conflicts." This statement rings  
19 hollow and borders on disingenuous where, as here, the only discovery even initiated to date is  
20 defendant's service of initial disclosures. The parties' stipulation for a 90-day continuance of the  
21 discovery plan and scheduling order deadlines is therefore denied. The court will grant a 45-day  
22 extension in recognition of the parties' civility to one another. However, the parties are advised  
23 that any further request for an extension will be scrutinized for a strong showing that despite the  
24 exercise of due diligence the parties were unable to comply with the deadlines despite the extended  
25 time allowed.


26 **IT IS ORDERED:**

27 1. The parties' Stipulation to Extend (ECF No. 12) is **DENIED**. The following  
28 discovery plan and scheduling order dates shall apply:

- 1 a. Last date to complete discovery: **May 28, 2018.**
- 2 b. Last date to amend pleadings and add parties: **February 26, 2018.**
- 3 c. Last date to file interim status report: **March 28, 2018.**
- 4 d. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): **March**
- 5 **28, 2018.**
- 6 e. Last date to disclose rebuttal experts: **April 27, 2018.**
- 7 f. Last date to file dispositive motions: **June 27, 2018.**
- 8 g. Last date to file joint pretrial order: **July 27, 2018.** In the event dispositive
- 9 motions are filed, the date for filing the joint pretrial order shall be suspended until
- 10 30 days after a decision of the dispositive motions.
- 11 2. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto,
- 12 shall be included in the pretrial order.
- 13 3. Applications to extend any dates set by this discovery plan and scheduling order
- 14 shall, in addition to satisfying the requirements of LR 6-1, be supported by a showing of
- 15 good cause for the extension. All motions or stipulations to extend discovery shall be
- 16 received no later than **May 7, 2018**, and shall fully comply with the requirements of LR
- 17 26-4.

18 DATED this 8th day of February, 2018.

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21 PEGGY A. ZEEN

22 UNITED STATES MAGISTRATE JUDGE

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